

City Hall
80 Broad Street
October 24, 2017
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Moody

C. Pledge of Allegiance

D. Presentations and Recognitions

E. Public Hearings

1. Receive input from the public regarding the proposed 2018 City Budget
2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 445 Meeting Street (Peninsula) (approximately 2.2 acres) (TMS #459-09-01-045) (Council District 4), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by 445 Meeting Street Partners LLC.
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2178 Coker Avenue (James Island) (0.48 acre) (TMS #343-01-00-046) (Council District 11), annexed into the City of Charleston September 26, 2017 (#2017-116), be zoned Single-Family Residential (SR-1) classification. The property is owned by Nicholas Witte & Katherine Riddle.
4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone map, which is a part thereof, so that 1944 Woodland Road (West Ashley) (0.24 acre) (TMS #355-10-00-064) (Council District 2), annexed into the City of Charleston September 26, 2017 (#2017-117), be zoned Single-Family Residential (SR-1) classification. The property is owned by Heather Hays & David Kauffman.
5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 781 Saint Andrews Boulevard (West Ashley) (0.36 acre) (TMS #418-10-00-080) (Council District 9), annexed into the City of Charleston September 26, 2017 (#2017-118), be zoned General Office (GO) classification. The property is owned by Kevin Shealy.
6. An ordinance to amend ordinance 1996-008 (Dill Tract PUD Master Plan & Development Guidelines) by amending the permitted uses for the Dill Tract Low Density Residential District to allow not-for-profit office as a permitted use. (AS AMENDED)

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. October 10, 2017

H. Citizens Participation Period

I. Petitions and Communications:

1. Discussion regarding a \$100 million drainage funding strategy (Councilmember Gregorie and Councilmember Wilson)
2. Discussion regarding the one-acre parcel remaining in the Gathering Place (Councilmember Wilson and Councilmember Gregorie)
3. Discussion regarding property currently for sale along the James Island Connector (Councilmember Wilson)

J. Council Committee Reports:

1. License Committee: (Meetings were held on Wednesday, October 11, 2017 at 2:00 p.m. and Tuesday, October 24, 2017 at 4:00 p.m.)

- a.) An ordinance to adopt and amend the Business License Ordinance for the City of Charleston, South Carolina for the fiscal year commencing January 1, 2018.
- b.) Consider the appeal of a Business License Penalty - Dr. Larry J. Ferguson, DMD (INFORMATION ONLY)

2. Committee on Recreation: (Meeting was held on Thursday, October 19, 2017 at 3:00 p.m.)

- a.) Parks Improvement and Expansion
 - i. MLK Pool Enclosure Proposal, Mechanical System and locker room renovation proposal with the Johnson Controls Energy Performance Contract Amendment
 - ii. Stoney Field
 - iii. WPAL Park
 - iv. Bender Street Park
 - v. Annual Playground Replacement Update
 1. Thomas Johnson
 2. Randolph Park
 3. Martin Park
 4. Lenevar
 5. Parkshore
 6. Forest Park

- vi. Park House Maintenance Updates
- vii. Ballfield Lighting Updates
 - 1. Bayview Soccer Complex
 - 2. Governors Park
- viii. Greenway Paving Projects Review
- ix. JI Rec Center Roofing Project
- x. Daniel Island Recreation Center
- xi. 2017 Annual Court Resurfacing Summary
- xii. Herbert Hassel Pool Resurfacing schedule
- xiii. WL Stevens Bulkhead Screen Repair Update
- xiv. Preliminary (draft) report from Dover Kohl, in its Plan West Ashley study, for the creation of a Master Plan for recreation/parks.
- b.) Cultural Services – Cultural Plan
- c.) Natatorium
- d.) Swimming Facilities Discussion

3. Committee on Public Works and Utilities: (Meeting was held on Tuesday, October 24, 2017 at 3:00 p.m.)

a.) Acceptance and Dedication of Rights-of-Way and Easements:

- **Sidewalk at Sam Rittenberg Blvd** – Approval to notify SCDOT that the City intends to accept maintenance responsibility for a 5-foot wide by 141-linear-foot long concrete sidewalk and two 5-foot by 13-linear-foot concrete sidewalk sections in conjunction with the Ashley Landing Outparcel Project (1319 Sam Rittenberg Blvd) within the SCDOT right-of-way at Sam Rittenberg Blvd (SC 7). Letter and map attached.
 - Letter
 - Map

4. Committee on Ways and Means:

(Bids and Purchases

(Budget Finance and Revenue Collections: Approval of Amendment IV to the 2001 Johnson Controls Energy Performance Contract for improvements to the energy and operational efficiency of City facilities. The scope of work includes improvements to 72 City facilities including but not limited to LED Interior Lighting Upgrades and Controls, Parking Garage Lighting Upgrades, R-22 Equipment Replacement, HVAC Building Controls Improvements, R-22 Chiller Replacements. Mechanical System Upgrades and Replacement, MLK New Pool Enclosure & Upgrades, Window Replacements at St. Julian Devine, and Distributed Energy Storage at Greenberg Municipal Complex. Approval of this contract gives the Mayor the authorization to enter into a Lease Purchase Agreement for approximately \$12.3 million that will be funded through \$17 million in cost avoidance over a 15 year term.

(Fire Department: Approval to accept a SLED grant in the amount of \$68,000 for the Lowcountry Regional Collapse Search & Rescue Team-Charleston funds will be used to purchase safe head lamps, rescue helmets and repair and replace existing cache equipment for the SC Task Force Three. No City match is required.

- (Office of Cultural Affairs: Approval to accept a subgranting grant award of \$9,491 from the SCAC. Project funds will support the Lowcountry Quarterly Arts Grants Program. Project dates are 7/1/17-6/30/18. A City match of \$9,491 is required. Matching funds will be budgeted in 2018.
- (Office of Cultural Affairs: Approval to accept a general operating support grant award of \$27,917. Project funds will be used for general operating support. Project dates are 7/1/17 – 6/30/18. A City match of \$83,751 is required. Matching funds will come from private donations and earned revenues.
- (Office of Cultural Affairs: Approval to accept a grant award of \$1,000 from the SCAC. Project funds will be used to support accessibility components of the 2017 MOJA Arts Festival. A City match of \$1,000 is required. The match will come from 2017 MOJA Arts Festival paid admissions.
- (Parks: Approval to submit the Keep South Carolina Beautiful's 2018 Palmetto Pride Grant Application in the amount of \$10,000, for Keep Charleston Beautiful to utilize for litter reduction events, litter education, and awareness programming and beautification efforts within the City of Charleston. No City match is required.
- (Parks-Capital Projects: Approval of the Charleston Fire Department 2016 FEMA Generator Grant Replacement Construction Contract with Metro-Dwellings, Inc. in the amount of \$405,404.99 for the removing of the existing undersized generators and providing new permanent generator sets capable of providing full power at stations 4/15, 5/10, 7 and 16. The project timetable is scheduled for 100 days. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000, to the extent contingency funds exist in the Council approved budget. The Construction Contract will obligate \$405,404.99 of the \$464,560.78 project budget. The funding sources for the project are: FEMA Hazard Mitigation Grant Funds (\$298,688), 2012 General Fund Reserves (\$50,000), 2013 General Fund Reserves (\$107,597.26) and 2015 General Fund Reserves (\$8,275.52). This work will remove and replace 4 existing generators currently beyond their service life and originally designed to provide a partial electrical load. The new generators will provide uninterrupted full backup power for 7 days and will be elevated to meet the flood code requirements.
- (Parks-Capital Projects: Approval of the Spring & Cannon Streetscape, Two-Way Conversion & Signalization Construction Contract Change Order #4 with AOS Specialty Contractors, Inc. in the amount of \$627,394.28 for the milling and resurfacing of Spring and Cannon Streets. Charleston County is contributing \$500,000 to the resurfacing cost from funding allocated in 2013/14 for the resurfacing of these streets on a reimbursable basis. The balance will come from project contingency. The total project budget will increase by \$500,000 and the contract time will increase by 60 days. Approval of Change Order #4 will increase the Construction Contract with AOS Specialty Contractors, Inc. by \$627,394.28 from \$4,193,007.57 to \$4,820,401.85. The funding sources for this project are: 2000 General Fund Reserves (\$300,000), Gateway TIF (\$5,852,128) and Charleston County (\$500,000).
- (Parks-Capital Projects: Approval of an increase to the WestEdge Parking Garage Constructability Review Purchase Order #138659 with Cumming Construction Management, Inc. in the amount of \$2,000. The original purchase order was issued in December 2015 in the amount of \$39,900 for professional services related to the constructability review of final drawings for the WestEdge Parking Garage. Due to construction delays and schedule revisions, the funding available under the purchase

order has been exhausted and the additional funding is needed to complete the construction observation services. The approval of this increase to the purchase order will allocate an additional \$2,000 from funds budgeted for the WestEdge Parking Garage in the Parking Fund.

- (Parks-Capital Projects: Approval of the Volvo Tennis Stadium Miscellaneous Concrete Repairs Construction Contract with Strickland Waterproofing Company, Inc. in the amount of \$83,500 for the repair of various concrete cracks and spalls throughout the tennis stadium. The funding source for general maintenance work at the Volvo Tennis Stadium is 2017 Hospitality Fund (\$150,000).
- (Parks-Capital Projects: Approval of West Ashley Greenway Improvements – Parkdale to Croghan Landing Change Order #1 to the Construction Contract with Rakes Building and Maintenance Contractors, LLC dba Blutide Marine Construction in the amount of \$21,999.17 for additional base preparation as required for areas with less than 4" of base material in place, placement of additional 1" of asphalt on two 700 linear feet of path due to concerns about stability and an additional 30 tons of rip-rap and fill material required due to existing conditions at the Long Branch Creek portion of the trail. The total project budget remains unchanged. The contract time remains unchanged. The approval of this Changed Order will result in a \$21,999.17 increase to the Blutide Marine Construction Contract from \$537,812 to \$559,811.17. The funding sources for this project are: 2013 General Fund Reserves (\$700,000) and 2015 Charleston Transportation Committee "C" Funds (\$140,000).
- (Parks-Capital Projects: Approval of West Ashley Greenway Improvements – Parkdale to Croghan Landing Change Order #2 to the Construction Contract with Rakes Building and Maintenance Contractors, LLC dba Blutide Marine Construction in the amount of \$61,470.48 for the lining of an existing 48" culvert and the stabilization of drainage infrastructure under the Greenway causeway that was undermining part of the trail. The total project budget remains unchanged. The contract time will increase by 15 days. The approval of the Change Order will result in a \$61,470.48 increase to the Blutide Marine Construction Contract from \$559,811.17 to \$621,281.65. The funding sources for this project are: 2013 General Fund Reserves (\$700,000) and 2015 Charleston Transportation Committee "C" Funds (\$140,000). This work is necessary due to damage caused by the high storm surge during Hurricane Irma.
- (Public Service: Approval of a professional services contract with Johnson, Laschober & Associates P.C. for up to \$250,000 to provide third-party plan review related to new development and redevelopment projects. This is necessary to maintain the level of service given with the varying number of development submittals received as part of the City's TRC process.
- (Housing and Community Development: Mayor and City Council approval is requested to amend two contracts previously awarded in the amount of \$282,447 to Lowcountry Aids Services (LAS) and \$200,000 to Roper St. Francis Foundation (RSFF) in 2016-2017 Housing Opportunities for Persons with Aids (HOPWA) funds. The awards were approved by City Council, March 22, 2016. The Amendment commits an additional \$30,000 to each organization from prior year funds; increasing the contract to LAS to \$312,447 and to RSFF to \$230,000. Both organizations provide housing and related services to persons or households earning eighty percent (80%) and below the Area Median Income that have HIV/Aids. Funding for this Amendment is derived from prior year HOPWA funds awarded by the Department of Housing and Urban Development (HUD).

(An ordinance to adopt and amend the Business License Ordinance for the City of Charleston, South Carolina for the fiscal year commencing January 1, 2018.

(Authorize the Mayor to approve the Development Agreement for 13 Boyers Court, thus facilitating the closing on the property as per the Transfer Agreement dated August 26, 2016. The Development Agreement must be approved before a closing date can be scheduled. Redevelopment of the property may begin immediately after closing. (TMS: 463-12-02-070)

Give first reading to the following bill coming from Ways and Means:

An ordinance to adopt and amend the Business License Ordinance for the City of Charleston, South Carolina for the fiscal year commencing January 1, 2018.

K. Bills up for Second Reading:

1. *An ordinance to provide for the annexation of property known as 7 Riverdale Drive (0.26 acre) (TMS# 418-14-00-077), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Chris Straight and Jennifer Outlaw.*
2. *An ordinance to provide for the annexation of property known as 1320 N Edgewater Drive (0.66 acre) (TMS# 349-14-00-011), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by John and Catherine Rama.*
3. *An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 19, Section 242 to further clarify the rules for who is allowed to park in a Loading Zone, Section 256 to prohibit meter feeding, and to amend Sections 266, 267, 270, 272, and 280 to enact new parking regulations for the City's residential parking districts. (AS AMENDED)*
4. *An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 19, Article VIII, Division 1, Section 234 to clarify the restriction of parking on certain streets.*
5. *An ordinance amending Ordinance No. 2007-232 in order to supplement the plan for the redevelopment of such area by including as a redevelopment project in such ordinance affordable housing as defined at Section 31-6-30(6), South Carolina Code of Laws, 1976, as amended. (DEFERRED)*
6. *An ordinance to provide for the annexation of property known as Oakville Plantation Road (approximately 18.61 acres) (TMS# 317-00-00-007), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Keith W. Lackey et al. (DEFERRED)*

7. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Oakville Plantation Road (Johns Island) (approximately 89.0 acres) (portions of TMS# 317-00-00-089 and 317-00-00-011) (Council District 5), be rezoned from Light Industrial (LI) classification to Rural Residential (RR-1) classification. The property is owned by Keith W. Lackey et al. (DEFERRED)*
8. *An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Oakville Plantation Road (Johns Island) (approximately 18.61 acres) (TMS #317-00-00-007) (Council District 5), be zoned Rural Residential and Conservation (RR-1 and C) classifications. The property is owned by Keith W. Lackey et al. (DEFERRED)*
9. *An ordinance to amend Section 54- 943(c) of the Code of the City of Charleston (Zoning Ordinance) to modify the vote required of City Council in the event a matter is disapproved by the Planning Commission or when a petition in opposition to a matter signed by owners of twenty percent of the area of lots subject to the matter, or of those immediately adjacent on the sides and rear or directly opposite thereto is presented to Council to a simple majority of a quorum of the City Council (AS AMENDED). (DEFERRED FOR PUBLIC HEARING)*
10. *An ordinance to amend Section 54-420 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to add provisions allowing the repair, replacement or relocation of non-conforming off premises signs along interstate system roads under certain conditions.(DEFERRED)*
11. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending off-street parking requirements for eating and drinking places and adding off-street parking requirements for catering uses in Table 3.3 of Section 54-317 and amending restrictions for offsite parking in Section 54-319. (DEFERRED FOR PUBLIC HEARING)*

L. Bills up for First Reading

1. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by revising Section 54-220 (B) (1) (E) (15) pertaining to limits on the number of rooms in facilities.
2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 221 Spring Street, 194 Cannon Street and adjacent zoned right-of-way (Peninsula) (approximately 2.379 acres) (TMS #460-10-04-011, 460-10-04-013) (Council District 6), be rezoned so as to be included in the Accommodations Overlay (A) classification designated as "A-7": 175 room maximum.
3. An ordinance authorizing the Mayor to execute on behalf of the City a Lease between the City, as Landlord, and Emanuel African American M.E. Church of

Charleston, as tenant, pertaining to property owned by the City located at 113 Calhoun Street (*DEFERRED*)

4. An ordinance authorizing the Mayor to execute on behalf of the City Quit-Claim Deeds, approved as to form by the Office of Corporation Counsel, to the owners of those properties abutting each side of Hayne Street, running from Church Street to Anson Street, conveying to such owners one-half of the width of Hayne Street as said street abuts the respective owner's property, subject to any and all easements or other matters of record. (*DEFERRED*)

M. Miscellaneous Business:

1. The next regular meeting of City Council will be November 14, 2017 at 5:00 p.m. at City Hall, 80 Broad Street.

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.

PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, October 24, 2017 beginning at 5:00 p.m. in Council Chambers at 80 Broad St., Charleston, SC to receive input from the public regarding the proposed 2018 City Budget.

Interested persons are invited to attend the hearing and present their views. Extended presentations should be submitted in writing.

Vanessa Turner-Maybank
Clerk of Council

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL interpretation, or other accommodation please contact Janet Schumacher (843) 724-3730 or mail to schumacherj@charleston-sc.gov three days prior to the meeting.

Please insert as a Display Ad in the Post Courier on Sunday, October 8, 2017. Charge account PC103190.

Please insert in the Chronicle as a Display Ad on Wednesday, October 11, 2017. **Please provide an affidavit of publication for all public hearings.**

PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, October 24, 2017 beginning at 5:00 p.m. at City Hall, 80 Broad Street, on the request that the Zoning Ordinance of the City of Charleston be changed in the following respects:

REZONINGS

1. To rezone 445 Meeting Street (*Peninsula*) (Approximately 2.2 acres) (TMS# 459-09-01-045) from General Business (GB) classification to Mixed Use/Workforce Housing (MU-2/WH) classification.

ZONINGS

To zone the following properties annexed into the City of Charleston:

1. 2178 Coker Avenue (*James Island*) (0.48 acre) (TMS# 343-01-00-046) Single-Family Residential (SR-1).
2. 1944 Woodland Road (*West Ashley*) (0.24 acre) (TMS# 355-10-00-064) Single-Family Residential (SR-1).
3. 781 Saint Andrews Boulevard (*West Ashley*) (0.36 acre) (TMS# 418-10-00-080) General Office (GO).

ORDINANCE AMENDMENT & REZONING

1. To amend Ordinance 1996-08 (Dill Tract PUD Master Plan & Development Guidelines) for George Griffith Boulevard (*Dill Tract PUD - James Island*) (approximately 21.53 acres) (A portion of TMS# 337-00-00-467) by amending the permitted uses for the Dill Tract Low Density Residential District to allow not-for-profit office as a permitted use. (AS AMENDED)

VANESSA TURNER MAYBANK

Clerk of Council

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.

Please insert as a Display Ad in the Post Courier on Sunday, October 8, 2017. Charge account PC103190.

Please insert in the Chronicle as a Display Ad on Wednesday, October 11, 2017. **Please provide an affidavit of publication for all public hearings.**

E2)



Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 445 MEETING STREET (PENINSULA) (APPROXIMATELY 2.2 ACRES) (TMS #459-09-01-045) (COUNCIL DISTRICT 4), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO MIXED-USE/WORKFORCE HOUSING (MU-2/WH) CLASSIFICATION. THE PROPERTY IS OWNED BY 445 MEETING STREET PARTNERS LLC.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification.

Section 2. The property to be rezoned is described as follows:
445 Meeting Street (Peninsula) (approximately 2.2 acres) (TMS #459-09-01-045)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
_____ in the Year of Our Lord
_____, in the _____ Year of Independence
of the United States of America.

By: _____
John J. Tecklenburg
Mayor, City of Charleston

Attest: _____
Vanessa Turner Maybank
Clerk of Council

Rezoning 3

445 Meeting St (Peninsula)

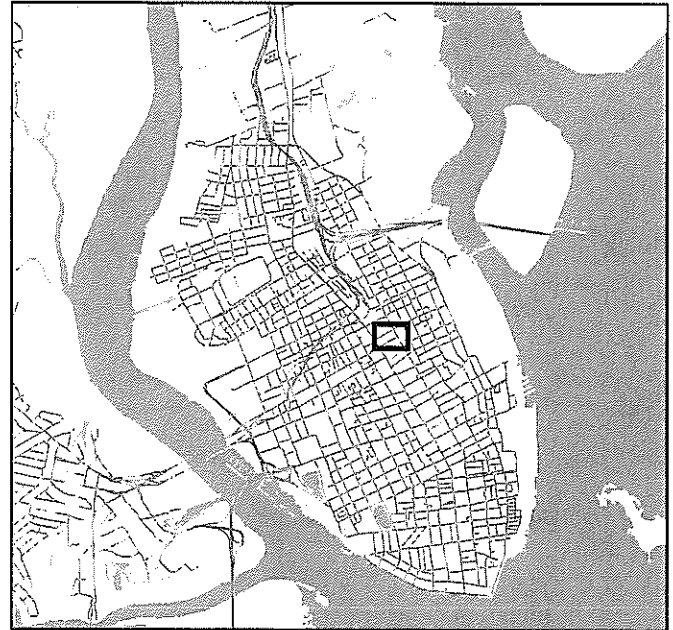
TMS# 4590901045

approx. 2.2 ac.

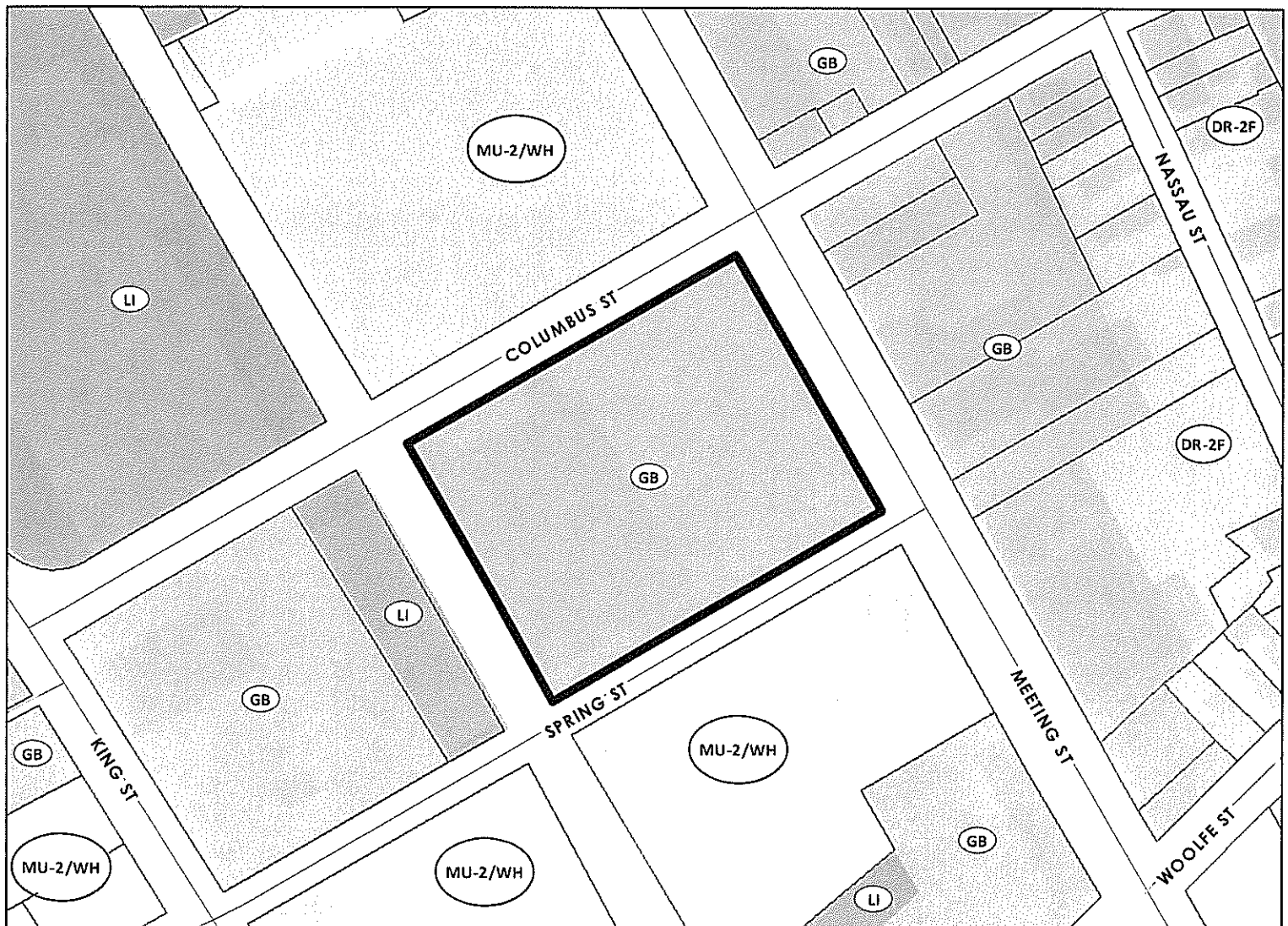
Request rezoning from General Business (GB)
to Mixed-Use Workforce Housing (MU-2/WH).

Owner/Applicant: 445 Meeting Street Partners LLC

AirG



Location





Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2178 COKER AVENUE (JAMES ISLAND) (0.48 ACRE) (TMS #343-01-00-046) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON SEPTEMBER 26, 2017 (#2017-116), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY NICHOLAS WITTE & KATHERINE RIDDILE.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so that the below described property shall become a part thereof:

2178 Coker Avenue (James Island) (0.48 acre) (TMS #343-01-00-046)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the _____ Year of Our Lord
_____, in the _____ Year of Independence
of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Zoning 1

2178 Coker (James Island)

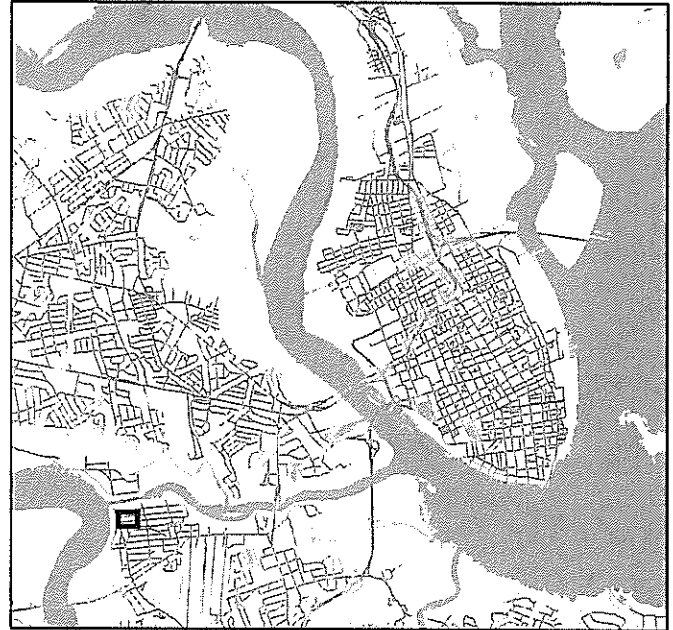
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0.48 ac.

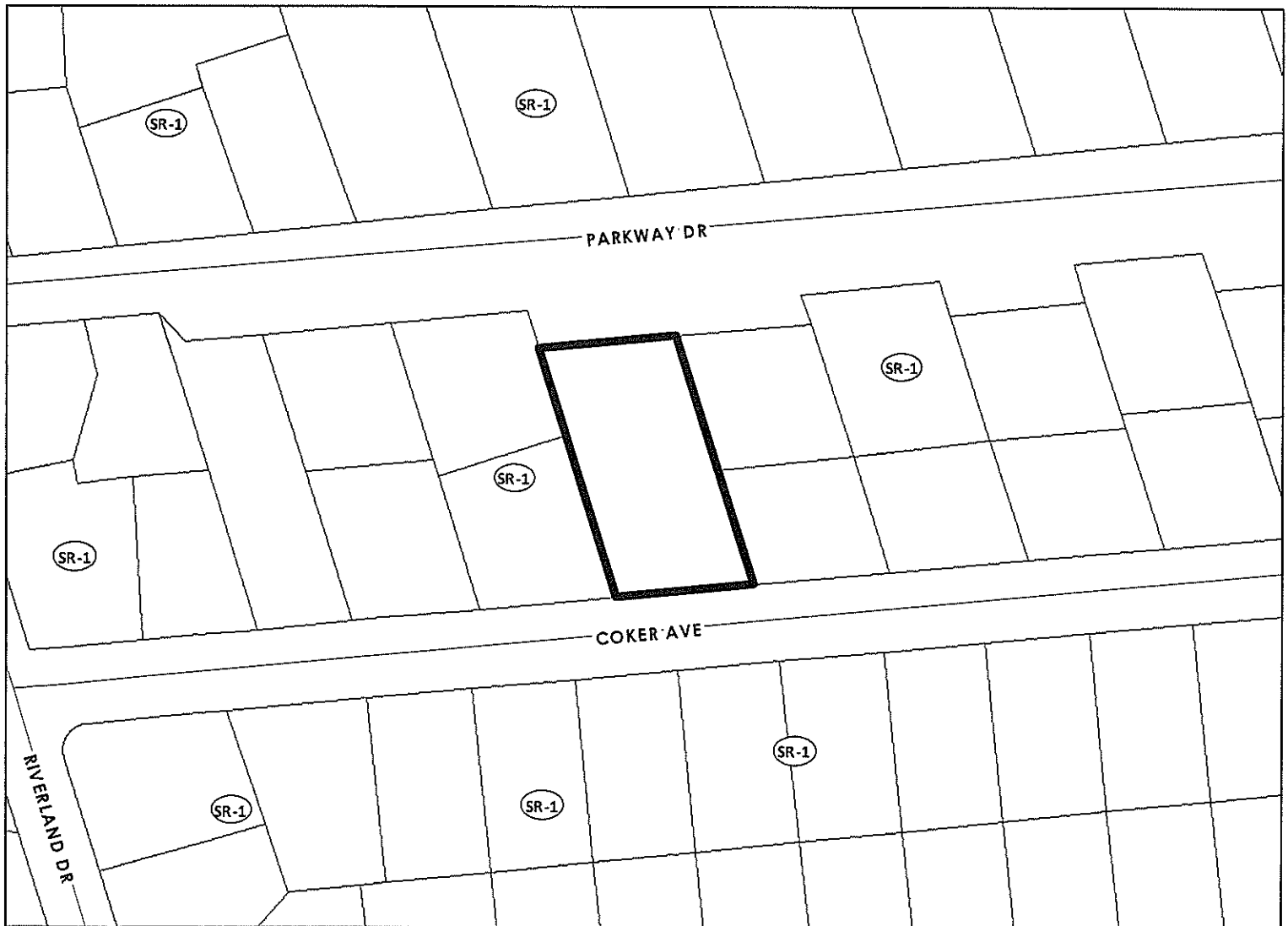
Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4)
in Charleston County.

Owner: Nicholas Witte & Katherine Riddle

Area



Location





Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 1944 WOODLAND ROAD (WEST ASHLEY) (0.24 ACRE) (TMS #355-10-00-064) (COUNCIL DISTRICT 2), ANNEXED INTO THE CITY OF CHARLESTON SEPTEMBER 26, 2017 (#2017-117), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY HEATHER HAYS & DAVID KAUFFMAN.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so that the below described property shall become a part thereof.

1944 Woodland Road (West Ashley) (0.24 acre) (TMS #355-10-00-064)

Section 2. That the said parcel of land described above shall be zoned Single-Family Residential (SR-1) classification.

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord _____, in the _____ Year of Independence of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Zoning 2

1944 Woodland Rd (West Ashley)

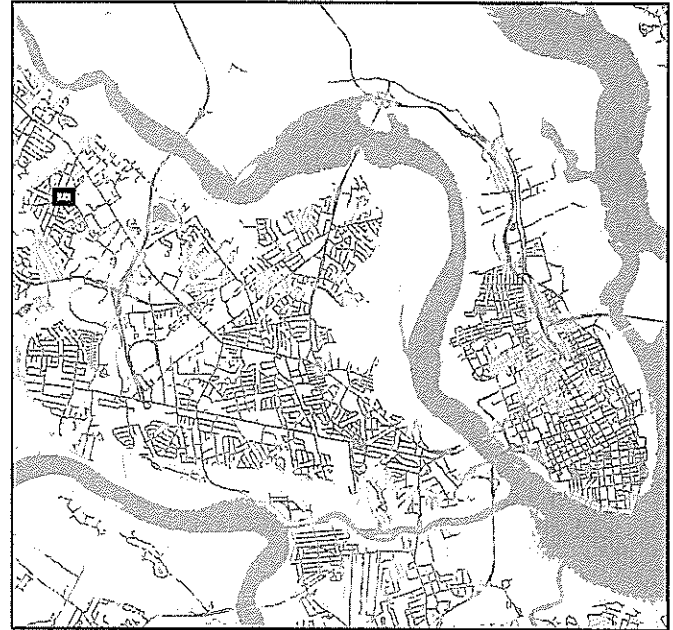
TMS# 3551000064

0.24 ac.

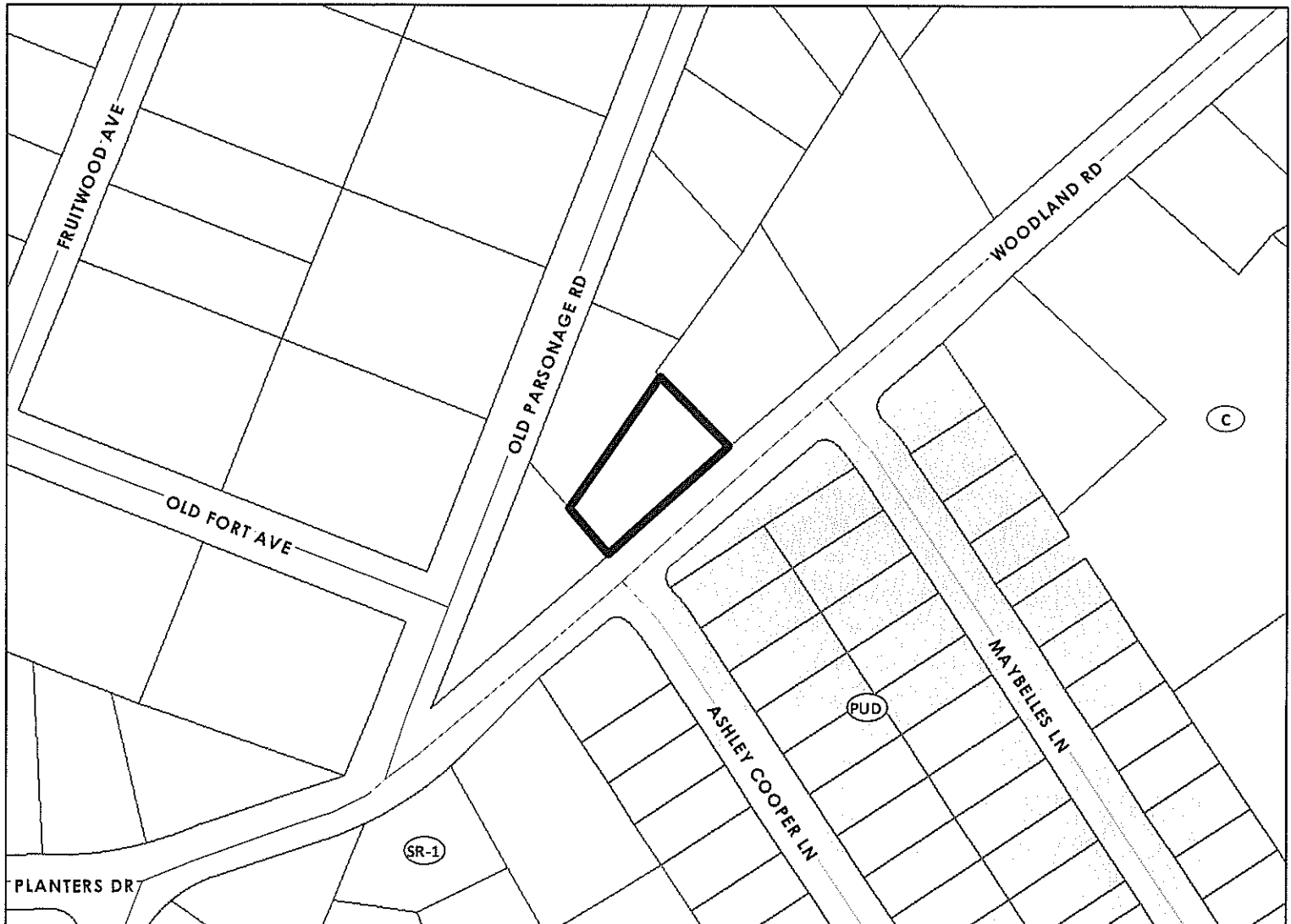
**Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4)
in Charleston County.**

Owner: Heather Hays & David Kauffman

Area



Location





Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 781 SAINT ANDREWS BOULEVARD (WEST ASHLEY) (0.36 ACRE) (TMS #418-10-00-080) (COUNCIL DISTRICT 9), ANNEXED INTO THE CITY OF CHARLESTON SEPTEMBER 26, 2017 (#2017-118), BE ZONED GENERAL OFFICE (GO) CLASSIFICATION. THE PROPERTY IS OWNED BY KEVIN SHEALY.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so that the below described property shall become a part thereof:

781 Saint Andrews Boulevard (West Ashley) (0.36 acre) (TMS #418-10-00-080)

Section 2. That the said parcel of land described above shall be zoned General Office (GO) classification.

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord _____, in the _____ Year of Independence of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Zoning 3

781 Saint Andrews Blvd (West Ashley)

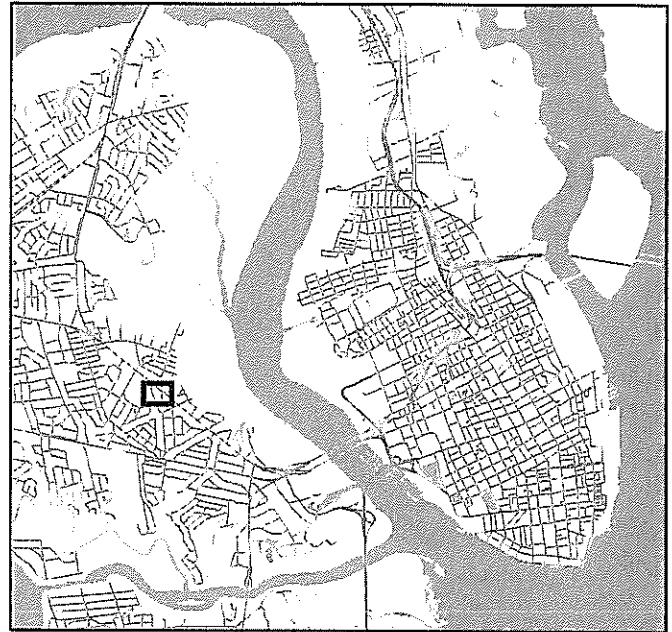
TMS# 4181000080

0.36 ac.

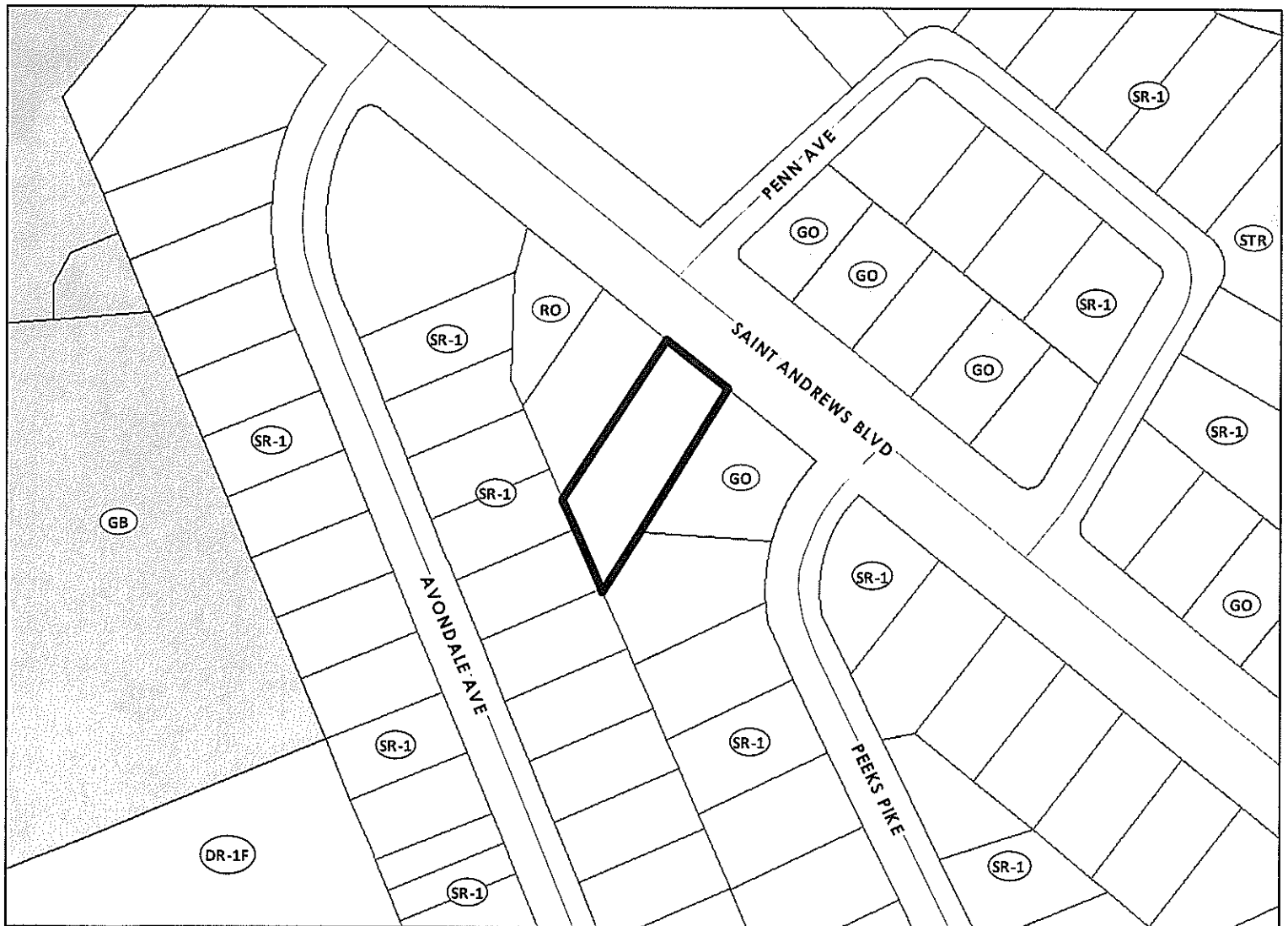
Request zoning of General Office (GO).
Zoned Saint Andrews Overlay District (OD-STA)
in Charleston County.

Owner: Kevin Shealy

Area



Location





Ratification
Number _____

AN ORDINANCE

TO AMEND ORDINANCE 1996-008 (DILL TRACT PUD MASTER PLAN & DEVELOPMENT GUIDELINES) BY AMENDING THE PERMITTED USES FOR THE DILL TRACT LOW DENSITY RESIDENTIAL DISTRICT TO ALLOW NOT-FOR-PROFIT OFFICE AS A PERMITTED USE. (AS AMENDED)

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the ordinance adopting the original Dill Tract Planned Unit Development Master Plan and Development Guidelines be amended by inserting the following text at the end of the section titled, "Zoning Districts":

"In the Dill Tract Not for Profit Office District, use as office space by non-profit institutions that are able to provide documentary evidence of their tax-exempt status under the regulations of the U.S. Internal Revenue Service. This permitted use will be in addition to the other uses permitted in the 'Dill Tract Low-density Residential District', as previously defined in the 'Development Guidelines for Dill Tract.'

In addition to the requirements listed above, non-profit-office uses in the Dill Tract Not for Profit Office District shall comply with current City of Charleston Zoning Ordinance requirements for the "General Office" zoning district, except that residential uses in conflict with the "Dill Tract Not for Profit Office District" as referenced above are not permitted."

Section 2. The Dill Tract Planned Unit Development Master Plan and Development Guidelines be amended for property described as follows:

A portion of property located on George Griffith Boulevard (TMS# 337-00-00-467).

Section 3. To include the attached amended map indicating the portion of the property in the Dill Tract Planned Unit Development Master Plan to be included in the 'Dill Tract Low-density Residential District'

Section 4. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day
of _____ in the Year of
Our Lord 2017, in the ____ Year of
Independence of the United States of
America.

By: _____
John J. Tecklenburg
Mayor, City of Charleston

Attest: _____
Vanessa Turner Maybank
Clerk of Council

Ordinance Amendment & Rezoning

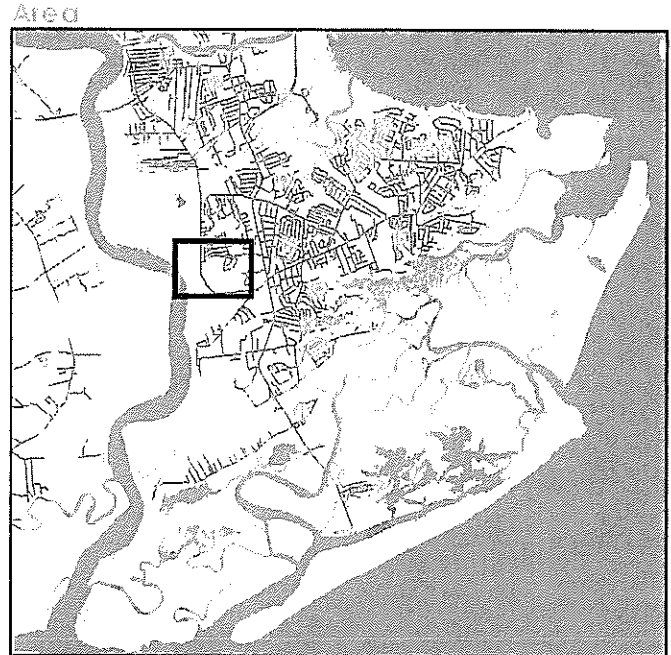
George Griffith Blvd (Dill Tract PUD - James Island)

TMS# 3370000467 (a portion)

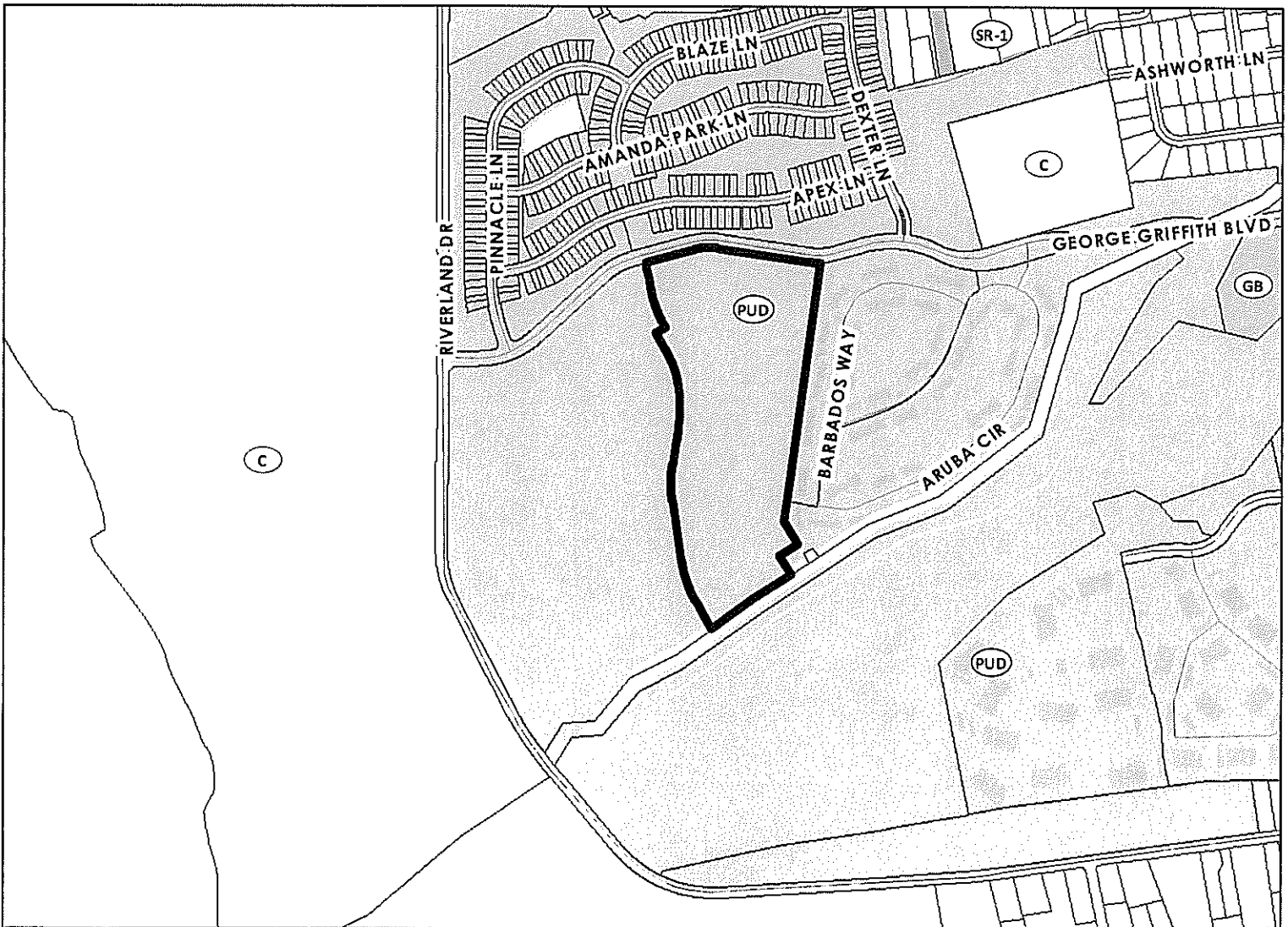
approx. 21.53 ac.

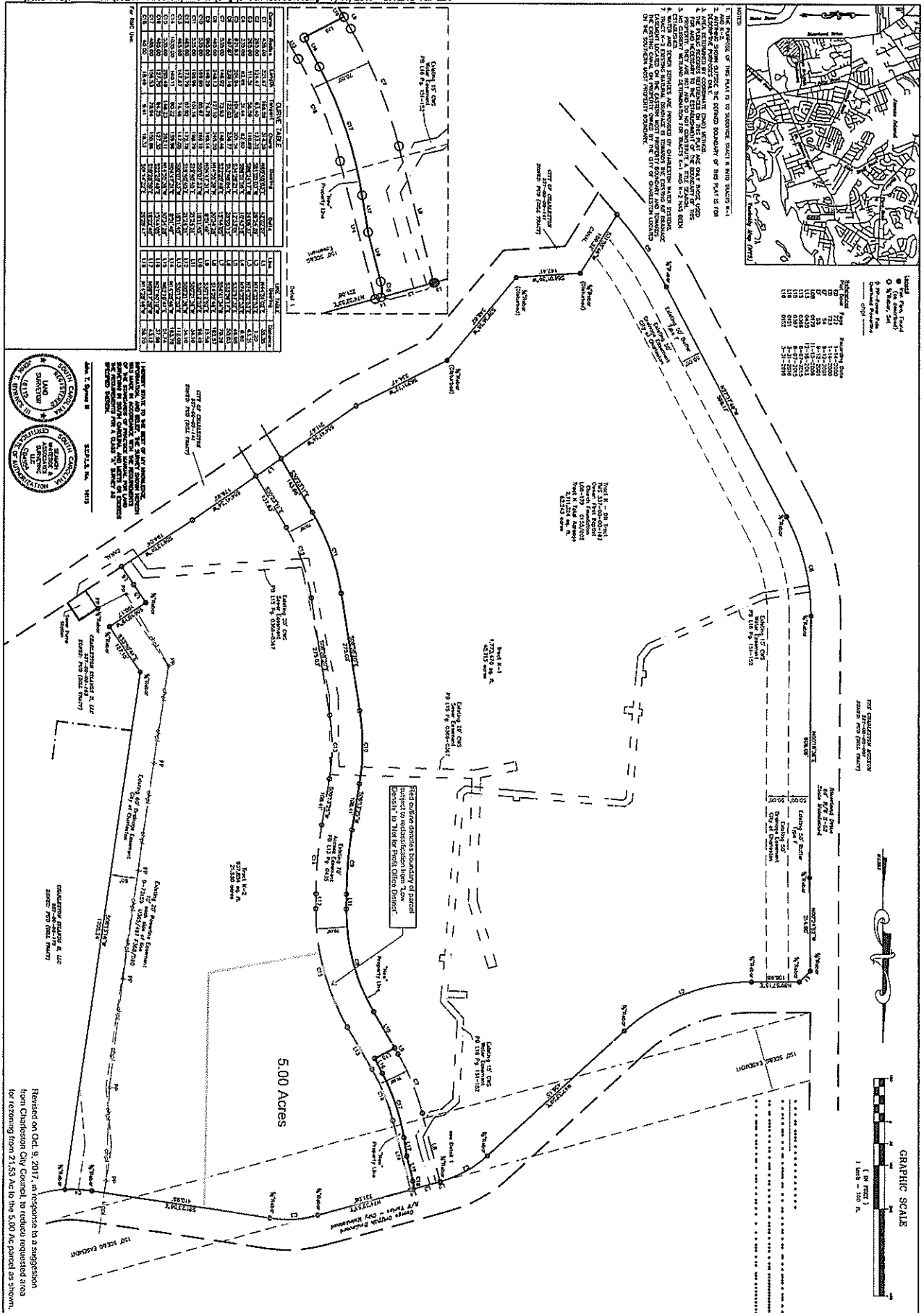
Request amendment to ordinance 1996-08
(Dill Tract PUD Master Plan & Development Guidelines)
by amending the permitted uses for the Dill Tract
Low Density Residential District to allow
not-for-profit office as a permitted use.

Owner: First Baptist Church Foundation
Applicant: Seamon Whiteside & Assoc. Inc.



Location





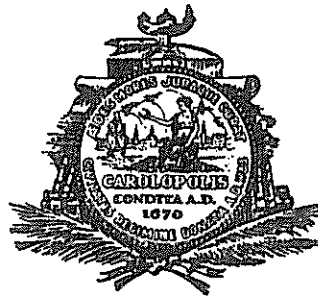
DATE: June 8, 2017
DRAWN BY: [Name]
CHECKED BY: [Name]
DATE: 10/24/17
DWG: 337-00-00-162
SHEET 1 OF 1

A FINAL SUBDIVISION PLAT OF
TRACT K - GEORGE GRIFFITH BOULEVARD
TMS No. 337-00-00-162
OWNED BY FIRST BAPTIST CHURCH FOUNDATION
LOCATED IN THE CITY OF CHARLESTON
CHARLESTON COUNTY, SOUTH CAROLINA

1035-B Jenkins Road
Charleston, SC 29407
(843) 795-9330

SWA
surveying

NO.	DATE	DESCRIPTION
1	2-07-17	Revised per City of Charleston comments



Ratification
Number _____

A N O R D I N A N C E

TO ADOPT AND AMEND THE BUSINESS LICENSE ORDINANCE FOR THE CITY OF CHARLESTON, SOUTH CAROLINA FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2018.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

The City of Charleston Business License Ordinance is hereby amended by adding thereto the following underlined words and deleting the stricken text, which shall read as follows:

Section 1. License Required.

Every person engaged or intending to engage in any calling, business, occupation or profession listed in the rate classification index portion of this ordinance, in whole or in part, within the limits of the City of Charleston, South Carolina, is required to pay an annual license fee for the privilege of doing business and obtain a business license as herein provided.

Section 2. Definitions.

The following words, terms and phrases, when used in this ordinance, shall have the meaning ascribed herein:

"*Business*" means a calling, occupation, profession, or activity engaged in with the object of gain, benefit or advantage, either directly or indirectly.

"*City*" means the City of Charleston.

"*Classification*" means that division of businesses by major groups subject to the same license rate as determined by a calculated index of ability to pay based on national averages, benefits, equalization of tax burden, relationships of services, or other basis deemed appropriate by City Council.

"*Due Date*" means the date and year when the income is required to be reported to the Business License Official as provided herein.

"*Gross Income*" means the total income of a business, received or accrued, for one calendar year collected or to be collected from business done within the City, excepting therefrom income earned outside of the City of Charleston on which a license tax is paid to some other municipality or county and fully reported to the City of Charleston. Gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax. Gross income for brokers or agents means gross commissions received or retained, unless otherwise specified. Gross income for insurance companies means gross premiums collected. Gross income for business license tax purposes shall not include taxes collected for a governmental entity, or funds which are the property of a third party and held in escrow. The value of bartered goods or trade-in merchandise shall be included in gross income. The gross income for business license purposes may be verified by inspection of returns and reports filed with the Internal

Revenue Service, the South Carolina Department of Revenue, the South Carolina Insurance Commission, or other government agency.

"License Official" means the "Revenue Collections Division Director" or such other person designated by him or her to administer this ordinance.

"Municipality" means the City of Charleston, South Carolina.

"Person" means any individual, firm, partnership, LLP, LLC, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principals.

"Real Estate Developer" means an individual or entity who, for a fee, salary, commission, or other valuable consideration, or who, with the intent or expectation of receiving compensation, engages in any activity involving the sale, purchase, exchange or lease of land and otherwise holds himself or itself out to the public or another business entity as being engaged in any of the foregoing activities.

Section 3. Purpose and Duration.

The business license levied by this ordinance is for the purpose of providing such regulation as may be required for the business subject thereto and for the purpose of raising revenue for the general fund through a privilege tax. Each license shall be issued for one year and shall expire on December 31. The provisions of this ordinance and the rates herein shall remain in effect from year to year as amended by Council.

Section 4. License Fee.

a. The required license fee for each business subject hereto shall be due on January 1 of each year and payable by January 31st. of that year. Delinquent renewal penalties will accrue after February 28th as detailed in Section 14. Fees shall be paid in accordance with the applicable rate classification. The license fee due date for insurance companies shall be May 31st.

b. If the due date for payment falls on a Saturday or Sunday, or a Federal, State, or City of Charleston observed holiday then payment is considered timely on the following business day. Furthermore, if the due date for payment falls during the period of a natural disaster which directly precluded the responsible party from timely submitting the payment, an additional ten (10) day extension may be granted upon written request by the responsible party to the Director of the Revenue Collections Division. A natural disaster is defined as a hurricane, earthquake, flood, or tornado. The responsible party is considered directly precluded from timely submitting payment if their offices are deemed by emergency officials to be damaged to the extent of being unsafe or unavailable for use due to the disaster or postal service to the immediate area is suspended during the due date.

c. A separate license shall be required for each place of business and for each classification or business conducted at one place. If gross income cannot be separated for classifications at one location, the license tax shall be computed on the combined gross income for the classification requiring the highest rate. Businesses that sell alcohol for on premise consumption in addition to conducting other types of business activities are required to secure a 7-5813, a 2-5812, or a 2-5813 classification in addition to any other business license required for that place of business.

d. A license fee based on gross income shall be computed on the gross income for the preceding calendar or fiscal year, and on a twelve-month projected income based on the monthly average for a business in operation for less than one year. The fee for a new business shall be computed

on the estimated probable gross income stated in the license application for the balance of the license year. The initial fee for an annexed business shall be prorated for the number of months remaining in the license year. No refund shall be made for a business that is discontinued.

Section 5. Registration Required.

a. The owner, agent or legal representative of every business subject to this ordinance, whether listed in the classification index or not, shall register the business and make application for a business license on or before the due date of each year; *provided*, a new business shall be required to have a business license prior to operation within the Municipality. A license for a bar (NAICS 722410) must be issued in the name of the individual who has been issued a State alcohol, beer or wine permit or license and will have actual control and management of the business.

b. Application shall be on a form provided by the License Official which shall contain the Federal Employer's Identification Number, the business name as reported on the South Carolina income tax return, South Carolina Sales Tax Number, if applicable, the applicant's Driver's License Number, and all information about the applicant and the business deemed appropriate to carry out the purpose of this ordinance by the License Official. Applicants may be required to submit copies of portions of state and federal income tax returns reflecting gross income figures.

c. The applicant shall certify under oath that the information given in the application is true, that the gross income is accurately reported, or estimated for a new business, without any unauthorized deductions, and that all assessments and personal property taxes on business property due and payable to the Municipality have been paid.

d. Before a business license may be issued to a business physically located within the municipal limits of the City of Charleston, the owner, agent, or legal representative shall procure a certificate of occupancy, occupancy permit, or a certificate of operation for each location proposed to be operated by that business before commencing business operations.

e. Insurance agents and brokers shall report the name of each insurance company for which a policy was issued and the total premiums collected for each company for each type of insurance coverage on a form approved by the License Official. An insurance agent not employed by a company shall be licensed as a broker.

Section 6. Collection of Insurance Fees.

Pursuant to S.C. Code Ann. §§ 38-7-160 and 38-45-60, The Municipal Association of South Carolina is designated the municipal agent for purposes of administration of the municipal broker's premium tax. The Mayor is hereby authorized to execute an agreement with the Municipal Association for the administration and collection of current and delinquent license taxes from insurance companies as authorized by S.C. Code § 5-7-300 and the municipal broker's premium tax.

Section 7. Collection of Telecommunication Fees.

a. Notwithstanding any other provisions of the Business License Ordinance, the business license tax for "retail telecommunications services", as defined in S. C. Code Section 58-9-2200, shall be at the maximum rate authorized by S. C. Code Section 58-9-2220, as it now provides or as provided by amendment. The business license tax year shall begin on January 1 of each year. Declining rates shall not apply.

b. In conformity with S.C. Code Section 58-9-2220, the business license tax for "retail telecommunications services" shall apply to the gross income derived from the sale of retail telecommunications services for the preceding calendar or fiscal year which either originate or terminate in the municipality and which are charged to a service address within the municipality regardless of where these amounts are billed or paid and on which a business license tax has not been paid to another municipality. The measurement of the amounts derived from the retail sale of mobile telecommunications services shall include only revenues from the fixed monthly recurring charge of customers whose service address is within the boundaries of the municipality. For a business in operation for less than one year, the amount of business license tax shall be computed on a twelve-month projected income.

c. The business license tax for "retail telecommunications services" shall be due on January 1 of each year and payable by January 31 of that year, without penalty.

d. The delinquent penalty shall be five percent (5 %) of the tax due for each month, or portion thereof, after the due date until paid.

e. Exemptions in the business license ordinance for income from business in interstate commerce are hereby repealed. Properly apportioned gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.

f. Nothing in this Ordinance shall be interpreted to interfere with continuing obligations of any franchise agreement or contractual agreement in the event that the franchise or contractual agreement should expire after December 31.

g. All fees collected under such a franchise or contractual agreement expiring after December 31, shall be in lieu of fees or taxes which might otherwise be authorized by this Ordinance.

h. As authorized by S. C. Code Section 5-7-300, the Agreement with the Municipal Association of South Carolina for collection of current and delinquent license taxes from telecommunications companies pursuant to S. C. Code Section 58-9-2200 shall continue in effect.

Section 8. Deductions, Exemptions, and Charitable Organizations

a. No deductions from gross income shall be made except for income earned outside of the Municipality on which a license tax is paid by the business to some other Municipality or a County and fully reported to the Municipality, taxes collected for a governmental entity, or income which cannot be included for computation of the tax pursuant to State or Federal law. The applicant shall have the burden to establish the right to exempt income by satisfactory records and proof.

b. The applicant shall have the burden to establish the right to exempt income by satisfactory records and proof. It is the intent of this ordinance that the rule laid down by the Supreme Court of South Carolina in the case of **Triplet v. The City of Chester, 209 SC 3445, 40SE 2d 684 (1946)** shall be followed.

c. A separate itemized listing showing and explaining all deductions must accompany the license application, either new or renewal, or no deductions will be allowed.

d. No person shall be exempt from the requirements of the ordinance by reason of the lack of an established place of business within the Municipality, unless exempted by State or federal law. The License Official shall determine the appropriate classification for each business in accordance with the latest issue of North American Industry Classification System code. No person shall be exempt from this ordinance by reason of the payment of any other tax, unless exempted by State law, and no person shall be relieved of liability for payment of any other tax by reason of application of this ordinance.

e. A Charitable organization shall be deemed a business unless the entire proceeds of its operation are devoted to a charitable purpose.

Section 9. False Application Unlawful.

It shall be unlawful for any person subject to the provisions of this ordinance to make a false application for a business license, or to give or file, or direct the giving or filing of any false information with respect to the license or fee required by this ordinance.

Section 10. Display and Transfer.

a. All persons shall display the license issued to them on the original form provided by the License Official in a conspicuous place in the business establishment at the address shown on the license. A transient or non-resident shall carry the license upon his person readily available for inspection by any authorized agent of the Municipality.

b. A change of address must be reported to the License Official within ten (10) days after removal of the business to a new location and the license will be valid at the new address upon written notification by the License Official and compliance with zoning and building codes. Failure to obtain the approval of the License Official for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license.

c. A business license shall not be transferable and a transfer of controlling interest shall be considered a termination of the old business and the establishment of a new business requiring a new business license. In the event of a sale or transfer of a business, the purchaser or new owner(s) may apply to the License Official for a credit for fees previously paid toward the new license fees. Upon determination by the License Official that the new business is the same as the previously licensed business, the License Official shall deduct from fees due a prorated credit for license fees paid. The applicant for such credit shall pay an administrative fee of \$50.00, notwithstanding such credits. Such application shall be made within thirty (30) days of any transfer or sale. The transfer of any partial ownership shall be reported to the License Official.

Section 11. Administration of Ordinance.

The License Official shall administer the provisions of this ordinance, collect license fees, issue licenses, make or initiate investigations and audits to insure compliance, initiate denial or revocation procedures, report violations to the municipal attorney, assist in prosecution of violators, produce forms, make reasonable regulations relating to the administration of this ordinance, and perform such other duties as may be duly assigned.

Section 12. Inspections and Audits.

a. The License Official shall make systematic inspections and periodic audits of businesses within the Municipality to insure compliance with the ordinance. All licensees and applicants under this ordinance hereby submit to the jurisdiction of the City, its License Official, or other authorized agents for the purposes of inspections or audits of books and records.

b. For the purpose of enforcing the provisions of this ordinance the License Official or other authorized agent of the Municipality is empowered to enter upon the premises of any person subject to this ordinance to make inspections, examine and audit books and records. It shall be unlawful for any such person to fail or refuse to make available the necessary books and records. Failure to permit such inspections or audits shall be sufficient cause to deny, revoke, or suspend a license by the License Official.

c. In the event an audit or inspection reveals that the licensee has failed to pay the proper amount of fees, an audit notice shall be served by certified mail. An application of adjustment of the audit

may be made to the License Official within fifteen (15) days after the notice is mailed or the audit will become final.

d. In the event an audit or inspection reveals that the licensee has filed false information or under reported its income, the costs of the audit may be added to the correct license fee. Additionally, penalties shall be added to the outstanding fees as provided herein and each day of failure to pay the proper amount of license fee and penalty shall constitute a separate offense.

e. Financial information obtained by inspections and audits shall not be deemed public records, and the License Official shall not release the amount of license taxes paid or the reported gross income of any person by name without written permission of the licensee. The License Official may disclose gross incomes of licenses to the Internal Revenue Service, South Carolina Tax Commission or Charleston County Tax Appraiser for the purpose of assisting tax assessments, tax collections and enforcement. Such disclosure shall be for internal, confidential and official use of these governmental agencies and shall not be deemed public records.

Section 13. Assessments.

a. If a person fails to obtain a business license or to furnish the information required by this ordinance or the License Official, the License Official shall examine such records of the business or any other available records as may be appropriate, and conduct such investigations and statistical surveys as the License Official may deem appropriate to assess a license tax and penalties as provided herein.

b. A notice of assessment shall be served by certified mail. An application for adjustment of the assessment may be made to the License Official within fifteen (15) days after the notice is mailed or the assessment will become final. The License Official shall establish the procedures for hearing an application for adjustment of assessment and issuing a notice of final assessment.

Section 14. Delinquent License Fees, Partial Payment.

a. For non-payment of all or any part of the correct license fee, the License Official shall levy and collect a late penalty of five (5%) percent of the unpaid fee for the first month or portion thereof after the due date and an additional twenty (20%) percent for the second month or portion thereof after the due date, for a total of twenty-five (25%) percent, and an additional ten (10%) percent for the third month, for a total of thirty-five (35%) percent of the correct license fee. If any license fee remains unpaid for sixty (60) days after its due date, the License Official may report it to the municipal attorney for appropriate legal action.

b. The penalty for delinquent insurance payments shall be 5% of the tax due per month, or portion thereof, after the due date until paid.

c. Penalties shall not be waived.

d. Partial payment may be accepted by the License Official to toll imposition of penalties on the portion paid; *provided*, however, no business license shall be issued or renewed until the full amount of the tax due, with penalties, has been paid.

Section 15. Notices.

The License Official may, but shall not be required to, mail written notices that license fees are due. If notices are not mailed there shall be published a notice of the due date in a newspaper of general circulation within the municipality three (3) times prior to the due date in each year.

Additionally, the License Official may, but shall not be required to, mail a written reminder that license fees are due. The written reminder should state the due date for the business license fee,

the penalties for failing to pay timely and contact information for the Revenue Collections Department.

Failure to receive notice shall not constitute a defense to prosecution for failure to pay the tax and penalties due.

Section 16. Denial of Business License.

a. The License Official may deny a business license to an applicant when the application is incomplete, contains a misrepresentation, false or misleading statement, evasion or suppression of a material fact, or when the activity for which a business license is sought is unlawful or constitutes a public nuisance *per se* or *per accidens*. A denial shall be written with reasons therefore stated.

b. No business license shall be issued to a business physically located in the City of Charleston until a certificate of occupancy, occupancy permit, or a certificate of operation has been applied for and issued indicating approval of the Zoning Administrator, Fire Department and the Building Inspector for the operation of the applicant's business at the proposed location. Applicants shall purchase a business license within five (5) days after the certificate of occupancy, occupancy permit, or a certificate of operation has been issued.

c. No business license may be issued to a business if that business, or a principal officer of that business owes the City of Charleston for outstanding business license fees, unless a payment plan has been approved by the License Official.

d. No business license may be issued to a business if that business, or the agent, or a principal officer of that business has engaged in an unlawful activity or nuisance related to the business or to a similar business in the City or in another jurisdiction.

e. No business license may be issued to a business if that business, or the agent, or a principal officer of that business has had a business license for the business or for a similar business in another jurisdiction that has been denied, suspended, or revoked in the previous license year.

Section 17. Suspension or Revocation of License.

When the License Official determines:

1. A license has been mistakenly or improperly issued or issued contrary to law; or
2. A licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this ordinance; or
3. A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application; or
4. A licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods; or
5. A licensee has engaged in an unlawful activity or nuisance related to the business;

The License Official may take actions to suspend or revoke the business license by giving written notice to the licensee or the person in control of the business within the municipality by personal service or certified mail that the license is suspended or suspended pending a hearing before the Business License Committee for the purpose of determining whether the license should be revoked. The notice shall state the time and place at which the hearing is to be held, which shall

be at a regular or special Business License Committee meeting within thirty (30) days from the date of service of the notice, unless continued by agreement. The notice shall contain a brief statement of the reasons for suspension or suspension and proposed revocation and a copy of the applicable provisions of this ordinance.

Section 18. Appeals and Appeal Procedure.

a. Any person aggrieved by a proposed revocation, suspension, or a denial of a business license by the License Official may appeal the decision to the Business License Committee of City Council by written request setting forth plainly, fully, and distinctly why the decision is contrary to law. The written request shall be filed with the Clerk of Council's Office with a copy to the License Official within ten (10) days after service by certified mail or personal service of the notice of proposed revocation, suspension or denial.

b. Any person aggrieved by a final decision of the License Official regarding a final audit or assessment may appeal the License Official's decision to the Business License Committee only after payment in full of the final audit or assessment under protest within ten(10) business days of receiving the final audit and by filing with the Clerk of Council and the License Official a written notice of appeal setting forth plainly, fully, and distinctly why the decision is contrary to law.

c. Business License hearings requested pursuant to this section shall be scheduled within thirty (30) days after receipt of a proper request for an appeal unless continued by agreement.

d. Any person aggrieved by a final decision of the Business License Committee regarding a suspension or revocation of a business license, or a decision by the Business License Committee on a matter appealed to it in accordance with the procedures outlined in this section may appeal the decision of the Business License Committee to the circuit court in and for the county by filing with the clerk of court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within thirty days after the affected party receives actual notice of the decision of the Business License Committee.

e. At a hearing held before the Business License Committee, all parties shall have the right to be represented by counsel, to present testimony and evidence and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by City Council shall govern the hearing. The Business License Committee with a quorum of members in attendance shall by majority vote of member's present render a written decision based on findings of fact and the application of the standards herein which shall be served upon all parties or their representatives.

Section 19. Consent, franchise or business license fee required.

The annual fee for use of streets or public places authorized by a consent agreement or franchise agreement shall be set by the ordinance approving the agreement and shall be consistent with limits set by State law. Existing franchise agreements shall continue in effect until expiration dates in the agreements. Franchise and consent fees shall not be in lieu of or be credited against business license fees unless specifically provided for by the franchise or consent agreement.

Section 20. Confidentiality.

Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any official or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this ordinance. Nothing in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns. Any license data may be shared with other public officials or employees in the performance of their duties, whether or not those duties relate to enforcement of the license ordinance.

Section 21. Violations.

Any person violating any provision of this ordinance shall be deemed guilty of the offense and shall be subject to a fine of up to \$500.00 or imprisonment for not more than thirty (30) days or both, upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties and costs provided for herein.

Section 22. Severability.

A determination that any portion of this ordinance is invalid or unenforceable shall not affect the remaining portions.

Section 23. Classification and Rates.

a. The license fee for each Class of business shall be computed in accordance with the following rates. The major groups of businesses included in each Class are listed with the major group number according to the North American Industry Classification System code. The License Official shall determine the proper class for business according to the NAICS.

b. Unless otherwise specifically provided, all minimum fees and rates shall be doubled for itinerants having no fixed principle place of business in the City of Charleston. A construction site trailer or a structure in which the contractor temporarily resides is not deemed a fixed principal place of business."

Section 24. This Ordinance shall become effective January 1, 2018.

Ratified in City Council this ____ day of _____, in
the Year of Our Lord, 2017, and in the ____nd Year of the
Independence of the United States of America.

BY:

John J. Tecklenburg
Mayor, City of Charleston

ATTEST:

BY:

Vanessa Turner Maybank
Clerk of Council

2018
Schedule of License Fees - Section 25

Class	INCOME 0-\$2,000.00	All over \$2,000.00 Rate per thousand or fraction thereof
1.....	\$ 32.00	\$ 1.55
2.....	\$ 37.00	\$ 1.95
3.....	\$ 43.00	\$ 2.35
4.....	\$ 49.00	\$ 2.80
5.....	\$ 55.00	\$ 3.15
6.....	\$ 60.00	\$ 3.50
7.....	\$ 64.00	\$ 3.90
8.....	See individual business in Class 8	

EXAMPLE OF BUSINESS LICENSE FEE CALCULATION		
Class 1 Business.....	Gross Income	\$100,000.00
First \$2,000.00.....	@ \$32.00	\$32.00
\$2,000.00		
\$100,000.00.....	@ \$1.55 per thousand	98 x \$1.55 =
		\$151.90
		+ \$ 32.00
		Total \$183.90

Itinerant Rates

Unless otherwise specifically provided, all minimum taxes and rates shall be doubled for non-residents and itinerants having no fixed principal place of business within the municipality.

"Declining Rate applies in all classes of gross income in excess of \$1,000,000.00

- excepting where noted differently -

A. Amount (in Millions) Gross Income	Percent of Rate for each additional \$1,000
0 - 1	100 percent
1 - 2	95
2 - 3	90
3 - 4	85
4 - 5	80
Over 5.....	75

CLASS 8 / RATES

NAICS

230000 – Contractors, Construction, Management, General-Contractor, Subcontractors and types –

The total tax for the full amount of the contract shall be paid prior to commencement of any work and shall entitle contractor to complete the job without regard to the normal license expiration date, except that itinerants performing State and Federal jobs in excess of five million dollars (\$5,000,000.00) may pay annually the business license fees equally over the terms of the contract with the first payment due prior to the commencement of work. The declining rate shall apply only to the amount of the contract reported each year.

– Itinerant (No permanent, principal place of business within the city) 0 - \$2,000.00\$80.00
over \$2,000.00.....\$3.30 per Thousand

Trailers, model homes, structures, or office spaces occupied by Contractors, Subcontractors, and Construction Managers temporarily during construction shall not constitute a permanent, principal place of business.

– Having place of business within the City..... 0 - \$2,000.00.....\$40.00
over \$2,000.001.65 per Thousand

No contractor shall be issued a business license until all state examination and trade license requirements have been met and all delinquent business licenses paid. No contractor shall be issued a business license until all performance and indemnity bonds required by the City have been filed and approved. Zoning permits must be obtained when required by the City Zoning Ordinance with estimated cost of construction. Each contractor shall post a sign in plain view on each job identifying the contractor with the job and shall furnish the License Inspector with a list of the names, addresses and telephone numbers, start dates, and contract values for all subcontractors.

Subcontractors shall be licensed on the same basis as general or prime contractors for the same job, and no deductions shall be made by a general contractor for value of work performed by a sub-contractor.

482000 - Railroad Companies. For the first 1000 inhabitants.....	\$35.51
For each additional 1000 inhabitants according to the last Fed census of the city. Up to a maximum total of \$2,000.00	\$44.97
517200 – Radio Telephone Communications -	Maximum Authorized by SC. Code Sec 58-9-2220. X gross revenues
517100 – Telephone Communications –	Maximum Authorized by SC. Code Sec 58-9-2220 .X gross revenues
722410, 722511 - (a) - Night Clubs, Cabarets, Taverns, Restaurants, or other similar establishments, which sell or serve beer or wine or permit the consumption of alcoholic beverages on the premises after midnight and which derive thirty-five (35%) percent or more of their gross income from the sale of beer, wine and/or alcoholic beverages.	
On gross receipts not exceeding \$25,000.00	\$610.50
On each additional \$1,000.00 or fraction thereof.....	\$7.90 per Thou
722410, 722511 (b) - Restaurants which derive less than thirty – five (35%) percent of their gross income from the sale of beer, wine and/or alcoholic beverages and are open after midnight.	
On gross receipts not exceeding \$2,000.00	\$46.26
On each additional \$1,000.00 or fraction thereof	\$2.30 per Thou
An addendum to the business license application with a breakdown of total gross income and gross income derived from the sale of beer, wine and/or alcoholic beverages is required to be filed by Class 7 – Section 5813 (a) and Class 8 – Section 722410 (a) establishments. If Class 8-722410 (b) establishments fail to submit an addendum or the addendum fails to separate total gross income from gross income derived from the sale of beer, wine and/or alcoholic beverages, the license fee shall be computed under the rate Class 8-722410 (a).	
4412 – Other motor vehicles	0 - \$2,000.00\$32.00
	over \$2,000.00.....\$1.10 per Thousand
4411 – Automobile Dealers.....	0 - \$2,000.00\$32.00
	over \$2,000.00.....\$1.10 per Thousand

Insurance Companies

Insurance Companies: Except as to fire insurance, "gross premiums" means gross premiums written for policies for property or a risk located within the municipality. In addition gross premiums" shall include premiums written for policies that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by (1) the insurance company's office's located in the municipality, (2) the insurance company's employee conducting business within the municipality, or (3) the office of the insurance company's licensed or appointed producer (agent) conducting business within the municipality, regardless of where the property or risk is located, provided no tax has been paid to another municipality in which the property or risk is located based on the same premium. As to fire insurance, "gross premiums" means gross premiums (1) collected in the municipality, and/or (2) realized from risks located within the limits of the municipality.

Solicitation for insurance, receiving or transmitting an application or policy, examination of risk, collection or transmitting an application of a premium, adjusting a claim, delivering a benefit or doing any act in connection with a policy or claim shall constitute conducting business within the municipality, regardless of whether or not an office is maintained in the municipality.

Gross premiums shall include all business conducted in the prior calendar year. Gross premiums shall include_new and renewal business without deductions for any divided, credit, return premiums or deposit. Declining rates shall not apply.

524113, 524114 Life, Health and Accident	0.75% percent of gross Premiums
524126, 524128 Fire and Casualty	2% of gross premiums
524127 Title Insurance	2% of gross premiums
524210 Brokers for non-admitted insurance carriers	2% of gross premiums

Computer Programming Design, Prepackaged Software Design, 541511, 511210, 334611

First - \$2,000.00	\$10.00
\$2,000.00 - 1 Million	55¢ per Thou
1 Million - 2 Million.....	10¢ per Thou
2 Million - 10 Million.....	5¢ per Thou
Over 10 Million	2.5¢ per Thou

713200 – Amusements Machines, coin operated – Not included in gross income of businesses where located or not owned by business where located except video poker type machines (Not to be prorated)..... \$6.44 |

713990 – Billiard or Pool Tables, all types (Not to be prorated). \$6.44 |

List of machine locations required.

Taxi Decal, Vehicle for Hire Decals..... \$6.44 per decal per year |

If you have any questions or need assistance with filling out your business license application, please call the Revenue Collections office at 724-3711. Please make checks payable to the City of Charleston.

MAILING ADDRESS

City of Charleston Revenue Collections Office
P.O. Box 22009
Charleston, SC 29413-2009

PHYSICAL LOCATION

Revenue Collections Office
2 George Street, Suite 1700
Charleston, SC 29401

If your business closes before the end of 2018, please contact our office so we may update our files.



City of Charleston Business License 2018 Rate Classification Index

Sec. 24

**NAICS
Code**

Industry Sector

RATE CLASS 1

22	Utilities
313	Textile and textile product mills
321	Wood products
331	Primary metal industries
42	Wholesale trade
441	Motor vehicle and parts dealers
443	Electronic and appliance stores
445	Food and beverage stores
447	Gasoline stations
451	Sporting goods, hobby, book, and music stores
452	General merchandise stores
454	Non store retailers
623	Nursing and Residential Care Facility
721	Accommodation

RATE CLASS 2

11	Agriculture, forestry, hunting and fishing
311	Food manufacturing
315	Apparel
316	Leather and allied products
322	Paper products
323	Printing and related support activities
324	Petroleum and coal products
327	Nonmetallic mineral products
332	Fabricated metal products

333	Machinery
335	Electrical equipment, appliances, and components
336	Transportation equipment
337	Furniture and related products
442	Furniture and home furnishing stores
444	Building material and garden equipment and supplies dealers
446	Health and personal care stores
448	Clothing and accessories stores
453	Miscellaneous store retailers
48	Transportation, except rail
493	Warehousing and storage facilities
524	Insurance agents, brokers, and related activities
532	Rental and leasing services
562	Waste management and remediation services
722	Food services and drinking places
811	Repair and maintenance
8111	Auto repair and maintenance

RATE CLASS 3

325	Chemical manufacturing
339	Other miscellaneous manufacturing
51	Information
512	Motion picture and sound recording
515	Broadcasting (except internet) and telecommunications
517	Telecommunications
56	Administrative and support and waste management and remediation services
561	Administrative and support services
71	Arts, entertainment, and recreation
712	Museums, Historical Sites and similar institutions

RATE CLASS 4

334	Computer and electronic products
511	Publishing industries (except 511210)
518	Internet service providers, web search portals, and data processing
62	Health care and social assistance

RATE CLASS 5

519	Other Information Services
522	Credit intermediation and related activities
54	Professional, scientific, and technical services
55	Management of companies
61	Educational services
812	Personal and laundry services
813	Religious, grant making, civic, professional, and similar organizations

RATE CLASS 6

21	Mining
531	Real estate (property managers, real estate agents, appraisers)

RATE CLASS 7

52	Finance and insurance
523	Securities, commodity contracts, and other financial investments
525	Funds, trusts and other financial vehicles
5311	Lessors of real estate (including mini warehouses and self-storage)
<u>53110</u>	Lessors of Residential Buildings and Dwellings (Owners of fewer than five (5) residential units that are not permitted for short term rental use pursuant to 54-208 through 54-209 are exempt)
	Other professional, scientific and technical services

5416-5419

RATE CLASS 8

23	Construction
4411	Automobile Dealers
4412	Other Motor Vehicle Dealers
482	Rail Transportation
5241	Insurance Carriers
52421	Insurance Brokers for non-admitted Insurance Carriers
7131	Amusement Parks and Arcades
7132	Non payout Amusement Machines
71399	All Other Amusement and Recreational Industries (pool tables)
72241	Drinking Places (Alcoholic Beverages) (After Midnight)
72551	Food Services (After Midnight)

BUSINESS LICENSE CLASS SCHEDULE BY NAICS CODE

NAICS Code	Industry Sector	Class
11	Agriculture, forestry, hunting and fishing	2
21	Mining	6
2211	Electric Power Generation, Transmission and Distribution	8
2212	Natural Gas Distribution	8
22	Utilities	1
23	Construction	8
311	Food manufacturing	2
313	Textile and textile product mills	1
315	Apparel	2
316	Leather and allied products	2
321	Wood products	1
322	Paper products	2
323	Printing and related support activities	2
324	Petroleum and coal products	2
325	Chemical manufacturing	3
327	Nonmetallic mineral products	2
331	Primary metal industries	1
332	Fabricated metal products	2
333	Machinery	2
334	Computer and electronic products	4
335	Electrical equipment, appliances, and components	2
336	Transportation equipment	2
337	Furniture and related products	2
339	Other miscellaneous manufacturing	3
42	Wholesale trade	1
42393	Recyclable Material Merchant Wholesalers (Junk)	1
44-45	Retail trade (see type)	
441	Motor vehicle and parts dealers	1
4411	Automobile Dealers	8
4412	Other Motor Vehicle Dealers	8
442	Furniture and home furnishing stores	2
443	Electronic and appliance stores	1
444	Building material and garden equipment and supplies dealers	2
445	Food and beverage stores	1
446	Health and personal care stores	2
447	Gasoline stations	1
448	Clothing and accessories stores	2
451	Sporting goods, hobby, book, and music stores	1
452	General merchandise stores	1

453	Miscellaneous store retailers	2
454	Non store retailers	1
45439	Other Direct Selling Establishments (Peddlers)	1
48-49	Transportation and warehousing (see type)	
482	Rail Transportation	8
486	Pipeline transportation	2
493	Warehousing and storage facilities	2
51	Information	3
511	Publishing industries (except 511210)	4
512	Motion picture and sound recording	3
515	Broadcasting (except internet) and telecommunications	3
517	Telecommunications	3
51711	Cable, DSL, VoIP, etc.	8
518	Internet service providers, web search portals, and data processing	4
519	Other Information Services	5
52	Finance and insurance	7
522	Credit intermediation and related activities	5
523	Securities, commodity contracts, and other financial investments	7
524	Insurance agents, brokers, and related activities	2
5241	Insurance Carriers	8
52421	Insurance Brokers for non-admitted Insurance Carriers	8
525	Funds, trusts and other financial vehicles	7
53	Real estate and rental and leasing	5
531	Real estate	6
5311	Lessors of real estate (including mini warehouses and self-storage)	7
532	Rental and leasing services	2
54	Professional, scientific, and technical services	5
5416-5419	Other professional, scientific, and technical services	7
55	Management of companies	5
56	Administrative and support and waste management and remediation services	3
561	Administrative and support services	3
562	Waste management and remediation services	2
61	Educational services	5
62	Health care and social assistance	4
623	Nursing and Residential Care Facility	1
71	Arts, entertainment, and recreation	3
71119	Other Performing Arts Companies (Carnivals and Circuses)	3
712	Museums, Historical Sites and similar institutions	3
7131	Amusement Parks and Arcades	3
7132	Non payout Amusement Machines	8

71329	Bingo Halls	3
71399	All Other Amusement and Recreational Industries (pool tables)	3
721	Accommodation	1
722	Food services and drinking places	2
72241	Drinking Places (Alcoholic Beverages)	8
72251	Food Services (After Midnight)	8
811	Repair and maintenance	2
8111	Auto repair and maintenance	2
812	Personal and laundry services	5
813	Religious, grant making, civic, professional, and similar organizations	5
812	Personal and laundry services	5
813	Religious, grant making, civic, professional, and similar organizations	5



City of Charleston

South Carolina

Department of Public Service

JOHN J. TECKLENBURG
Mayor

LAURA S. CABINESS, PE
Director

October 25, 2017

Mr. Kirk R. Richards, PE
Assistant District Maintenance Engineer
SCDOT-District 6
6355 Fain Street
North Charleston, SC 29406

Re: Maintenance of Sidewalk Standard Construction Materials at Sam Rittenberg (SC 7)

Dear Mr. Richards:

This letter concerns the proposed installation of a 5-foot wide by 141-linear-foot long concrete sidewalk and two 5-foot by 13-linear-foot concrete sidewalk sections in conjunction with the Ashley Landing Outparcel Project (1319 Sam Rittenberg Blvd) within the SCDOT right-of-way at Sam Rittenberg Blvd (SC 7). It is our intention that these will be public sidewalks.

The City Council of Charleston at its meeting held **October 24, 2017**, agreed to accept maintenance responsibility for the proposed sidewalk within the State maintained right-of-way shown on the attached drawing and which will be constructed under a valid a SCDOT Encroachment Permit. The City of Charleston agrees to maintain this sidewalk in compliance with current ADA and SCDOT standards (ADA Standards for Transportation Facilities, SC Highway Design Manual, SCDOT Standard Drawings, AASHTO Guide for Development of Pedestrian Facilities).

Should there be any questions, please do not hesitate to contact me at 843-724-3754 or at cabinessl@charleston-sc.gov.

Sincerely,

Laura S. Cabiness, PE
Director of Public Service

Copy to:
Michael Metzler, Deputy Director
Tom O'Brien, Deputy Director
Brian Pokrant, GIS Analyst
Frank Salter Gary, Hussey Gay Bell

SITE DATA

SITE ADDRESS

1401 SAM RITTENBERG BLVD
(RETAIL BUILDING WILL BE
1318 SAM RITTENBERG BLVD)

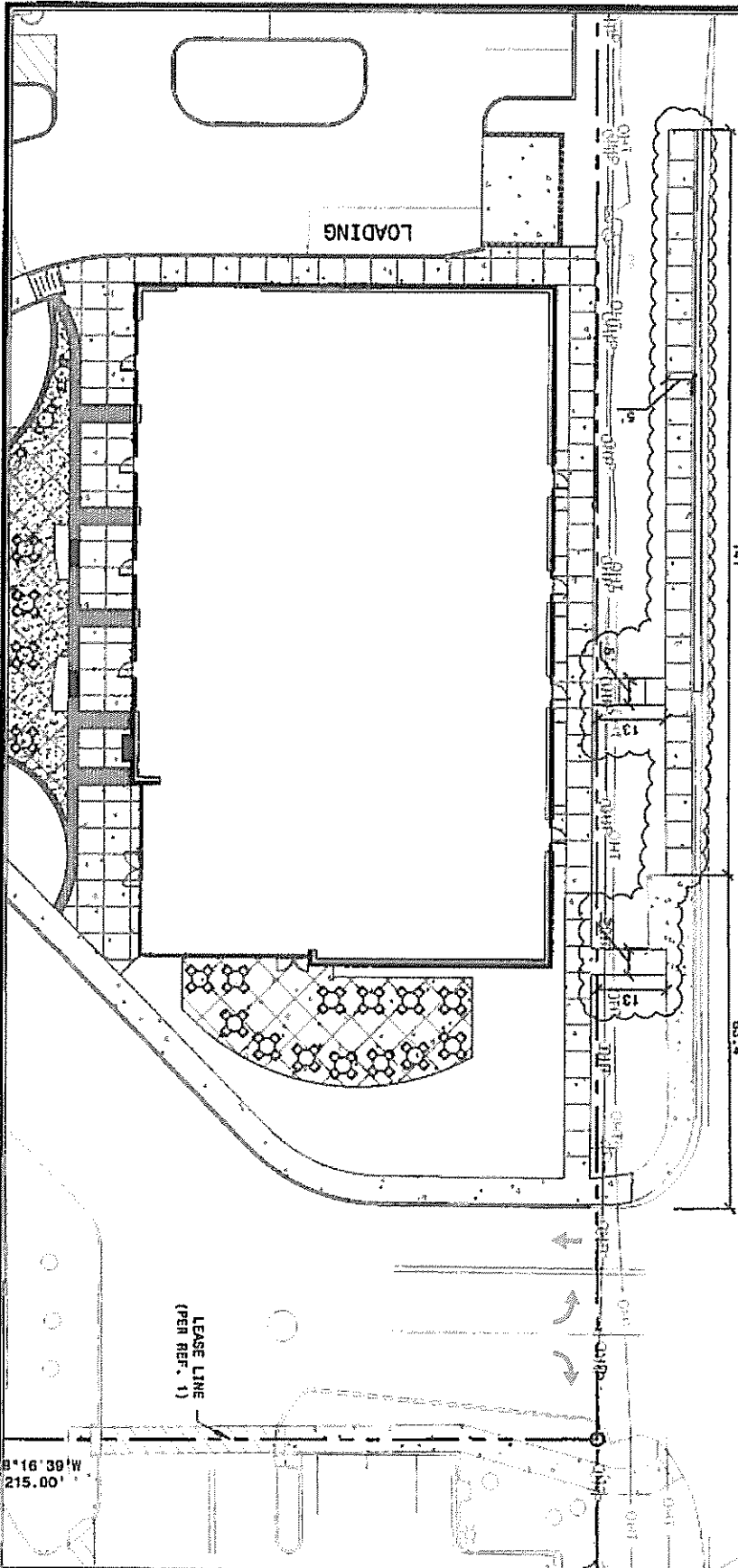
PARCEL NUMBER
OF SITE

PORTION OF 352-11-09-101

SAM RITTENBERG BLVD.

(22,700 VPD; 2015)

(45 MPH; 120' PUBLIC R/W)



NOTE: THIS SCALE APPLIES
FOR 24" X 36" SHEETS ONLY

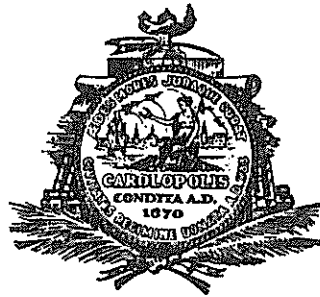
X001

DRAWING NUMBER

ASHLEY LANDING OUTPARCEL
ON SAM RITTENBERG BLVD
CITY OF CHARLESTON, SC
FOR
FAISON & ASSOCIATES, LLC
SIDEWALK MAINTENANCE EXHIBIT

DATE: 10/12/2017
BY: [Signature]
FOR: [Signature]

HUSSEY GAY BELL
Established 1958
474 WANDO PARK BLVD, SUITE 201, MT. PLEASANT, SC 29464 / T: 843.849.7500



Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY REVISING SECTION 54-220 (B) (1) (E) (15) PERTAINING TO LIMITS ON THE NUMBER OF ROOMS IN FACILITIES.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That Section 54-220 (b) (1) (e) (15) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding text shown below with a double-underline:

- (15) the number of rooms in the facility; provided however that the number of rooms in a facility shall not exceed 50 in areas designated "A-1" on the zoning map; 180 in areas designated "A-2" on the zoning map; 225 in areas designated "A-3" on the zoning map; 100 in areas designated "A-4" on the zoning map; 150 in areas designated "A-5" on the zoning map; ~~and 69~~ in areas designated "A-6" on the zoning map; and 175 in areas designated "A-7" on the zoning map; and further provided that within the portion of the area designated "A-1" bounded by King Street on the west, Meeting Street on the east, Mary Street on the south and Line Street on the north, the number of rooms in a facility may exceed 50 if the facility is a full-service hotel that provides 20,000 or more square feet of meeting and conference space, and an on-site restaurant that serves breakfast, lunch and dinner seven days a week;

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of
_____ in the Year of Our Lord, 2017,
and in the ____ Year of the Independence of
the United States of America

John J. Tecklenburg
Mayor, City of Charleston

ATTEST:

Vanessa Turner Maybank
Clerk of Council

L2.)



Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 221 SPRING STREET, 194 CANNON STREET AND ADJACENT ZONED RIGHT-OF-WAY (PENINSULA) (APPROXIMATELY 2.379 ACRES) (TMS #460-10-04-011, 460-10-04-013) (COUNCIL DISTRICT 6), BE REZONED SO AS TO BE INCLUDED IN THE ACCOMMODATIONS OVERLAY (A) CLASSIFICATION DESIGNATED AS "A-7": 175 ROOM MAXIMUM.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation so as to be included in the Accommodations Overlay (A) classification designated as "A-7": 175 room maximum.

Section 2. The property to be rezoned is described as follows:
221 Spring Street, 194 Cannon Street and adjacent zoned right-of-way (Peninsula) (approximately 2.379 acres) (TMS #460-10-04-011, 460-10-04-013)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the Year of Our Lord
_____, in the _____ Year of Independence
of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

Attest:

Vanessa Turner Maybank
Clerk of Council

Rezoning

221 Spring St & 194 Cannon St (Peninsula)

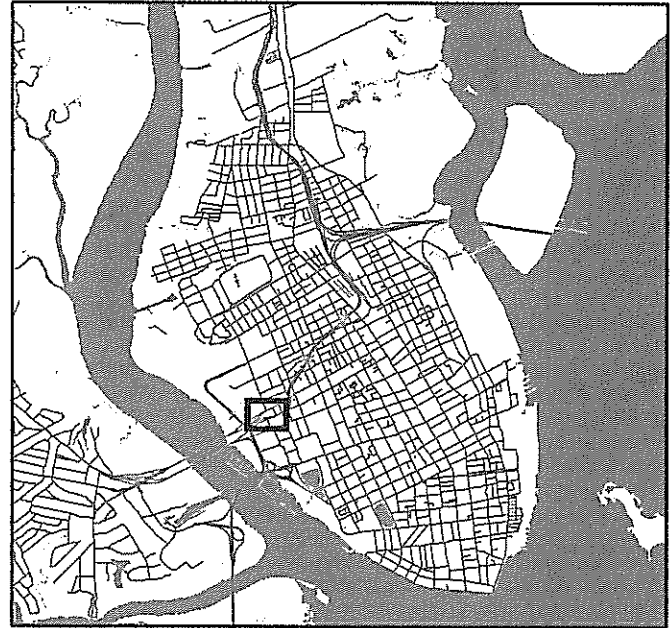
TMS# 4601004011 & 4601004013 & right-of-way

approx. 2.379 ac.

Request rezoning to include property in the area
designated as "A-7": 175 Room Maximum in the
Accommodations Overlay

Owner: Jem Management Co; Calfran Properties
Applicant: City of Charleston

Area



Location

